

**A SUBSTITUTE ORDINANCE (# 2)
BY FINANCE EXECUTIVE COMMITTEE**

A SUBSTITUTE ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES ALLOWING THE CITY TO EXTEND EXPIRED RENEWAL AGREEMENT NO 1 WITH ENGINEERING DESIGN TECHNOLOGIES, INC., FOR FC-6005007887-A, ANNUAL CONTRACT FOR PROFESSIONAL DESIGN SERVICES FOR VARIOUS QUALITY OF LIFE PROJECTS AND TO PROVIDE ADDITIONAL FUNDING AND DESIGN SERVICES FOR PROJECT A: WEST END LCI AND PROJECT B: GREENBRIAR TOWN CENTER RIGHT OF WAY AND CONSTRUCTION SERVICES ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR AN ADDITIONAL 24 MONTHS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY FOUR THOUSAND THREE HUNDRED FORTY DOLLARS (\$234,340.00). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM THE FOLLOWING FUND, DEPARTMENT AND ACCOUNT NUMBERS: 3502 (GENERAL GOV'T CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING); 3127 (2004 QUALITY OF LIFE FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING) 3138 (2008 QUALITY OF LIFE FUND) 130308 (DPW TRANSPORTATION DESIGN) 4270000 (TRAFFIC ENGINEERING) AND PTAEF FUNDING SOURCES: 13101258/101/350291795/5414002/COA; 13102737/102/313821776/5414002/COA; 13102105/105/313821776/5414002/COA; 13102136/104/313821776/5414002/COA; 13102559/101/312721224/5414002/COA; 13102136/102/313821776/5414002/COA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into an agreement with Engineering Design Technologies, Inc ("EDT, Inc."), for FC-6005007887-A, Annual Contract for Professional Design Services for Various Quality of Life Projects; and

WHEREAS, said Agreement had a base term of two (2) years, expiring on June 9, 2007, with one (1), one (1) year renewal option; and

WHEREAS, Renewal Agreement No. 1 was executed, effective June 8, 2007 to June 6, 2008; and

WHEREAS, the Chief Procurement Officer authorized a 90-day extension on April 8, 2008 giving a new expiration date of September 7, 2008; and

WHEREAS, Engineering Design Technologies, Inc has performed has performed the contracted service satisfactorily; and

WHEREAS, the Department of Public Works desires to extend Renewal Agreement No. 1 with Engineering Design Technologies, Inc., for the continuation of remaining design phase services which includes Right of Way Acquisition and the continued construction management services throughout the construction of said project; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this extension of Renewal Agreement No. 1 with Engineering Design Technologies, Inc., for FC-6005007887-A, Annual Contract for Professional Design Services for Various Quality of Life Projects (Project A West End LCI and Project B: Greenbriar Town Center) for an additional twenty four (24) months; and

WHEREAS, except for the period of performance, all terms and conditions of the renewal contract will remain unchanged and shall remain in full force and effect.

NOW, THEREFORE, BE AND IT IS RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows: that the Mayor is authorized to extend Renewal Agreement No. 1 with Engineering Design Technologies, Inc., for FC-6005007887-A, Annual Contract for Professional Design Services for Various Quality of Life Projects (Project A West End LCI and Project B: Greenbriar Town Center) for an additional 24 months.

BE IT FURTHER RESOLVED, that said Renewal Agreement No. 1 will be extended for a period of twenty four (24) months effective September 7, 2008 to September 6, 2010.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to assist in the preparation of the Contract Renewal Agreement No. 1 for execution by the Mayor.

BE IT FINALLY RESOLVED, that all contracted work for FC-6005007887-A, Annual Contract for Architectural and Engineering Services, will be charged to and paid from Fund Department/Organization and Account Number: 3502 (General Gov't Capital Fund) 130308 (DPW Transportation Design) 4270000 (Traffic Engineering) ; 3127 (2004 Quuality Of Life Fund) 130308 (DPW Transportation Design) 4270000 (Traffic Engineering) 3138 (2008 Quality Of Life Fund) 130308 (DPW Transportation Design) 4270000 (Traffic Engineering); AND
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WHEREAS, the Department of Public Works desires to extend Renewal Agreement No. 1 with Engineering Design Technologies, Inc., for the continuation of remaining design phase services which includes Right of Way Acquisition and the continued construction management services throughout the construction of said project; and

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WHEREAS, said Agreement had a base term of two (2) years, expiring on June 9, 2007, with one (1), one (1) year renewal option; and

WHEREAS, Renewal Agreement No. 1 was adopted by the Atlanta City Council on May 7, 2007, approved by the Mayor on May 14, 2007, and became effective June 8, 2007 to June 6, 2008; and

WHEREAS, the Chief Procurement Officer authorized a 90-day extension on April 8, 2008 giving a new expiration date of September 7, 2008; and

WHEREAS, Engineering Design Technologies, Inc has performed has performed the contracted service satisfactorily; and

WHEREAS, the Department of Public Works desires to extend Renewal Agreement No. 2 with Engineering Design Technologies, Inc., for the continuation of remaining design phase services which includes Right of Way Acquisition and the continued construction management services throughout the construction of said project; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this extension of Renewal Agreement No. 1 with Engineering Design Technologies, Inc., for FC-6005007887-A, Annual Contract for Professional Design Services for Various Quality of Life Projects (Project A West End LCI and Project B: Greenbriar Town Center) for an additional twenty four (24) months; and

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BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to assist in the preparation of the Contract Renewal Agreement No. 1 for execution by the Mayor.

BE IT FURTHER RESOLVED, Renewal Agreement No. 1 will not become binding upon the City, and the City will incur no liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to Engineering Design Technologies, Inc.

BE IT FINALLY RESOLVED, that all contracted work for FC-6005007887-A, Annual Contract for Architectural and Engineering Services, will be charged to and paid from Fund Department/Organization and Account Number: 3502 (General Gov't Capital Fund) 130308 (DPW Transportation Design) 4270000 (Traffic Engineering) ; 3127 (2004 Quality Of Life Fund) 130308 (DPW Transportation Design) 4270000 (Traffic Engineering) 3138 (2008 Quality Of Life Fund) 130308 (DPW Transportation Design) 4270000 (Traffic Engineering); AND PTAE0 FUNDING SOURCES: 13101258/101/350291795/5414002/COA; 13102737/102/313821776/5414002/COA; 13102105/105/313821776/5414002/COA; 13102136/104/313821776/5414002/COA; 13102559/101/312721224/5414002/COA; 13102136/102/313821776/5414002/COA.

RCS# 2278
8/18/08
4:00 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II

Committee of Purview: ~~Public Works~~ Finance / Executive Committee

Caption: AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES ALLOWING THE CITY TO EXTEND RENEWAL AGREEMENT NO. 1 WITH ENGINEERING DESIGN TECHNOLOGIES, INC., FOR FC-6005007887-A, ANNUAL CONTRACT FOR PROFESSIONAL DESIGN SERVICES FOR VARIOUS QUALITY OF LIFE PROJECTS AND TO PROVIDE ADDITIONAL FUNDING AND DESIGN SERVICES FOR PROJECT A: WEST END LCI AND PROJECT B: GREENBRIAR TOWN CENTER RIGHT OF WAY AND CONSTRUCTION SERVICES ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR AN ADDITIONAL TWENTY FOUR (24) MONTHS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY FOUR THOUSAND THREE HUNDRED FORTY DOLLARS (\$234,340.00) WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE FUND, DEPARTMENT AND ACCOUNT NUMBERS LISTED; AND FOR OTHER PURPOSES

Council Meeting Date: August 18, 2008

Requesting Dept.: Public Works

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to amend an Agreement with Engineering Design Technologies for Additional Professional Design Services for Various Quality of Life Projects (Project A: West End LCI and Project B: Greenbriar Town Center).

2. Please provide background information regarding this legislation.

This legislation will amend the current contract with Engineering Design Technologies for additional Professional Design Services for West End LCI and Greenbriar Town Center related to additional right-of-way and design services required by the Georgia Department of Transportation and to extend the contract duration due to additional Georgia Department of Transportation reviews.

3. If Applicable/Known:

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc): Professional Services

(b) Source Selection:

(c) Bids/Proposals Due:

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:**

4. Fund Account Center:

5. Source of Funds: Quality of Life Bond

6. Fiscal Impact: This legislation will result in a reduction in the amount of \$33,230.75 to Lowery Blvd Phase 2 TIF; \$39,860.75 to Oracle Project#/Task 13102737:102; \$35,760.50 to Oracle Project#/Task 13102105:105; \$38,954.75 to Oracle Project#/Task 13102136:104; \$28,558.00 to Oracle Project#/Task 13102559:101;and \$57,975.25 to Oracle Project#/Task 13102136:102.

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Soraya Belgrave

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Soraya Belgrave

Contact Number: (404) 330-6002

Originating Department: Public Works

Committee(s) of Purview: FINANCE EXECUTIVE

Chief of Staff Deadline: July 16, 2008

Anticipated Committee Meeting Date(s): July 29, 2008

Anticipated Full Council Date: August 18, 2008

Legislative Counsel's Signature: Saul Schultz

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: [Signature]

CAPTION

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES ALLOWING THE CITY TO EXTEND RENEWAL AGREEMENT NO. 1 WITH ENGINEERING DESIGN TECHNOLOGIES, INC., FOR FC-6005007887-A, ANNUAL CONTRACT FOR PROFESSIONAL DESIGN SERVICES FOR VARIOUS QUALITY OF LIFE PROJECTS AND TO PROVIDE ADDITIONAL FUNDING AND DESIGN SERVICES FOR PROJECT A: WEST END LCI AND PROJECT B: GREENBRIAR TOWN CENTER RIGHT OF WAY AND CONSTRUCTION SERVICES ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS FOR AN ADDITIONAL TWENTY FOUR (24) MONTHS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY FOUR THOUSAND THREE HUNDRED FORTY DOLLARS (\$234,340.00) WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM THE FUND, DEPARTMENT AND ACCOUNT NUMBERS LISTED; AND FOR OTHER PURPOSES

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 7.17.08 Reviewed by: [Signature]
(date) (date)

Submitted to Council: _____